

REMARKS

Applicant respectfully requests entry of the Amendment and reconsideration of the claims.

Claims 42-53 are pending. Claim 43 has been amended to correct obvious typographical errors. Claim 53 has been amended to correct an obvious typographical error. Support for the amendment can be found at page 12, line 22 (paragraph 46).

Claims 42 and 47 have been amended to clarify the claimed subject matter. Support for these amendments can be found throughout the specification, including at paragraph 44 (page 11), paragraph 51 (page 14), and paragraph 54 (page 15). No new matter has been added by the amendments.

Applicant respectfully requests reconsideration and withdrawal of the objections to claim 43 and rejection of the claims under 35 U.S.C. § 112, first paragraph.

Claim Objections

The Examiner objects to claim 43 due to the use of the term "a voice prosthetic". The Examiner also objects to claim 43 since it recites "tubing" twice.

Claim 43 has been amended to recite "a voice prosthetic device" and to delete the second reference to "tubing". In view of the amendments to claim 43, Applicant respectfully requests removal of the objections to claim 43.

Rejections under 35 U.S.C. § 112, first paragraph

The Examiner rejects claims 42-53 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully traverses this rejection.

Applicants have amended claim 42 and claim 47 to recite "an effective amount of" and "wherein the effective amount of (a) or (b) inhibits a bacterial biofilm." Support for this amendment can be found throughout the specification, including at paragraph 44 (page 11), paragraph 51 (page 14), and paragraph 54 (page 15). In view of the amendments, claims 42 and 47 are not directed to medical devices and articles having any amount of ovotransferrin,

protamine sulfate, or EDTA. Claims 42 and 47 comprise an effective amount to inhibit a bacterial biofilm. Applicant asserts that written description for independent claims 42 and 47 can be found throughout the specification, including at paragraph 44 (page 11), paragraph 51 (page 14), paragraph 54 (page 15), and the Examples at pages 1-24. The term "effective amount" provides sufficient written description as defined in the specification. *Amgen Inc. v. Hoechst Marion Roussel, Inc.*, 457 F.3d 1293, 1303 (Fed. Cir. 2006) (The Federal Circuit providing claim construction of a "therapeutically effective amount" as defined by the specification at issue).

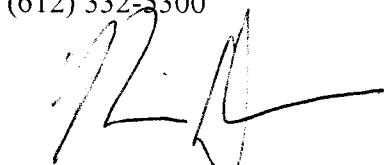
In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

Summary

In view of the above amendments and remarks Applicant respectfully requests a Notice of Allowance. If the Examiner believes that a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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